

UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

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 APPLICATION NO.
 FILING DATE
 FIRST NAMED INVENTOR
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 08/932, 039
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 EXAMINER

JAMES B MIDDLETON PO BOX 1968 DECATUR GA 30031-1968

SKIVASTAVA, V
ARTUNIT PAPER NUMBER

3751/

DATE MAILED:

04/26/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

	Application Ald Application
Office Action Summary	Application No. Applicant(s) Applicant(s) Applicant(s)
	Examiner Group Art Unit V.S. C. C. C. C. TOWN 37 6
—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—	
Period for Response	2
A SHORTENED STATUTORY PERIOD FOR RESPONSE IS SET TO EXPIRE MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.	
 Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a response be timely filed after SIX (6) MONTHS from the mailing date of this communication. If the period for response specified above is less than thirty (30) days, a response within the statutory minimum of thirty (30) days will be considered timely. If NO period for response is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication. Failure to respond within the set or extended period for response will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). 	
Status	0199
Status Responsive to communication(s) filed on	8111
☐ This action is FINAL.	•
 Since this application is in condition for allowance excep accordance with the practice under Ex parte Quayle, 19: 	t for formal matters, prosecution as to the merits is closed in 35 C.D. 1 1; 453 O.G. 213.
Disposition of Claims	1 42 1
(5) 2-36 and	is/are pending in the application.
Of the above claim(s)	is/are withdrawn from consideration.
Claim(s) 43 and	2-3 Cis/are allowed.
EClaim(s) 41 a 4	/js/are rejected.
☐ Claim(s)	is/are objected to.
☐ Claim(s)————————————————————————————————————	are subject to restriction or election requirement.
Application Papers	
☐ See the attached Notice of Draftsperson's Patent Drawi	ng Review, PTO-948.
☐ The proposed drawing correction, filed onis ☐ approved ☐ disapproved.	
☐ The drawing(s) filed on is/are objected to by the Examiner.	
☐ The specification is objected to by the Examiner.	
☐ The oath or declaration is objected to by the Examiner.	
Priority under 35 U.S.C. § 119 (a)-(d)	
 □ Acknowledgment is made of a claim for foreign priority □ All □ Some* □ None of the CERTIFIED copies of received. □ received in Application No. (Series Code/Serial Num 	of the priority documents have been
received in this national stage application from the li	
*Certified copies not received:	
Attachment(s)	C
☑ Information Disclosure Statement(s), PTO-1449, Paper	No(s). Interview Summary, PTO-413
Notice of References Cited, PTO-892	□ Notice of Informal Patent Application, P10-152
□ Notice of Draftsperson's Patent Drawing Review, PTO-	948
Office Action Summary	

U. S. Patent and Trademark Office PTO-326 (Rev. 3-97)

Part of Paper No.____

Application/Control Number: 08/932,039:

Art Unit: 3761

Amended claims 43 and 2 - 36 are allowed.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 41 and 42 are rejected under 35 U.S.C. 102(e) as being anticipated by Baldwin (Pat. # 5,584,288).

Baldwin teaches in Figs. 6, 7 and 15, 16 a resuscitator valve for a face piece of a breathing apparatus, comprising an inlet duct (112) and an outlet duct (121) having a valve (153) and a movable cover (118).

With respect to claim 42, note the resilient flap (142).

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Note the teachings of Anderson et al (Pat. # 4,629,156), Stradella (Pat. # 4,762,145) and Webster (Pat. # 4,834,085).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to V. Srivastava whose telephone number is (703) 308-0959. mal

vs 🗫

April 21, 1999

John G. Weiss Supervisory Patent Examiner Group 3700